of the comments it received from pilots engaged in extended overwater operations were unanimous in their opinion that VHF facilities are not as extensive as the FAA believed when the notice was issued.

In response to this comment, the FAA reviewed all relevant facts available with respect to the extent of VHF facility coverage for overwater routes and the review indicated that significant changes had occurred in VHF coverage over those routes because of changes in the Ocean Station Vessel (OSV) program sponsored by the International Civil Aviation Organization.

Notwithstanding the reduction in VHF coverage, the FAA believes that there is sufficient justification for the proposed change in the radio equipment requirements for overwater operations. However, in view of the fact that most of the comments to Notice 73–20 were made without an awareness of this reduced coverage, the FAA issued a supplemental notice of proposed rule making, Notice 73–20A (40 F.R. 29089; July 10, 1975), to allow for the review of those comments and the submission of comments by other interested persons in the light of this information and the additional information contained in Notice 73–20A.

The FAA received 32 public comments in response to Notice 73–20A. All but one comment favored the adoption of the proposed amendment. The United States Coast Guard opposed the relaxing of the present dual HF communications requirement because HF equipment "provides the only reliable continuous means of communication" for transoceanic flights. It noted the elimination of many of the Ocean Stations, and the reduction in communications requirements for those remaining. Finally, the Coast Guard pointed out that "the Navy HF/DF net is one of the primary means of obtaining position information on distressed aircraft."

The FAA does not agree that the present requirement for dual HF equipment should be retained. This amendment does not eliminate the requirement for HF equipment altogether. However, for the reasons stated in Notice 73–20 as supplemented by Notice 73–20A (including the improved reliability of modern HF equipment), the FAA believes that the requirement for dual HF equipment for persons operating aircraft under Subpart D of Part 91 is unnecessary and imposes an unreasonable burden on those operators.

It should be noted that the Air Line Pilots Association in its comment on Notice 73–20A stated that the proposed relief should be given to operators of aircraft under Part 91. It based its change of position on the results of the exemption which the FAA issued to the National Business Aircraft Association, Inc., on October 20, 1972, granting its members relief substantially the same as that provided by the proposed rule change. An FAA inquiry into the operations conducted under that exemption, estimated by NBAA to involve over 1,000 aircraft, revealed no indication of HF equipment malfunctions or any adverse effect on safety. In addition, many persons commenting favorably on Notice 73–20A noted incident-free operations under the exemption.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423. Sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c).)

§ 91.191 [Amended]

In consideration of the foregoing, and for the reasons stated in Notice No. 73–20 as supplemented by Notice No. 73–20A, § 91.191 of the Federal Aviation Regulations is amended, effective May 24, 1976, by deleting the phrase "paragraph (c)" and substituting therefor the phrase "paragraphs (c) and (d)" in the lead-in portion of paragraph (a) and by adding a new paragraph (d) to read as follows:

§ 91.191 Radio equipment for overwater operations.

* * * * *

(d) Notwithstanding the provisions of paragraph (a) of this section, when both VHF and HF communications equipment are required for the route and the airplane has two VHF transmitters and two VHF receivers for communications, only one HF transmitter and one HF receiver is required for communications.

Issued in Washington, D.C., on April 13, 1976.

J. W. COCHRAN,
Acting Administrator.

[FR Doc.76–11547 Filed 4–21–76;8:45 am]

[Docket No. 15591; Amdt. No. 1017]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260–3, 8260–4, or 8260–5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97–696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS–230, 800 Independence Avenue, S.W., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30.00 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effectve on the dates specified:

§ 97.23 [Amended]

1. Section 97.23 is amended by originating, amending, or canceling the following VOR–VOR/DME SIAPs, effective June 3, 1976.

Waterloo, IA—Waterloo Municipal Arpt., VOR Rwy 12, Amdt. 4.
Waterloo, IA—Waterloo Municipal Arpt., VOR Rwy 18, Amdt. 3.
Waterloo, IA—Waterloo Municipal Arpt., VOR Rwy 24, Amdt. 11.
Waterloo, IA—Waterloo Municipal Arpt., VOR Rwy 36, Amdt. 12.
Waterloo, IA—Waterloo Municipal Arpt., VORTAC Rwy 30, Amdt. 9.
Monroe, LA—Monroe Muncipal Arpt., VOR Rwy 22, Original.
Cloquet, MN—Cloquet Carlton County Arpt., VOR/DME–A, Amdt. 3.
Great Falls, MT—Great Falls Int'l Arpt., VOR Rwy 3, Amdt. 13.
Great Falls, MT—Great Falls Int'l Arpt., VOR/DME Rwy. 21, Amdt. 5.
Tonopah, NV—Tonopah Arpt., VOR–A, Amdt. 1.
West Lafayette, OH—Tri-City Arpt., VOR–A, Original.
Klamath Falls, OR—Kingsley Field, VOR–B, Original.
Klamath Falls, OR—Kingsley Field, VOR Rwy 32, Amdt. 3, cancelled.
Klamath Falls, OR—Kingsley Field, VORTAC Rwy 14, Amdt. 4.
Klamath Falls, OR—Kingsley Field, VORTAC Rwy 32, Amdt. 2.
Lebanon, TN—Lebanon Muni. Arpt., VOR/DME–A, Amdt. 2.
Junction, TX—Kimble County Arpt. VOR–A, Amdt. 8.
Monroe, WI—Monroe Muni. Arpt., VOR/DME Rwy 29, Amdt. 2.

* * * effective April 9, 1976.

Troy, AL—Troy Muni. Arpt., VOR–A, Amdt. 1.

§ 97.25 [Amended]

2. Section 97.25 is amended by originating, amending, or canceling the following SDF–LOC–LDA SIAPs, effective June 3, 1976.

Little Rock, AR—Adams Field, LOC(BC) Rwy 22, Amdt. 8.
Waterloo, IA—Waterloo Muni. Arpt., LOC/DME(BC) Rwy 30, Amdt. 2.
New Orleans, LA—New Orleans Int'l Arpt. (Moisant), LOC(BC) Rwy 19, Amdt. 2.
Klamath Falls, OR—Kingsley Field, LOC/DME Rwy. 32, Amdt. 2.

* * * effective May 6, 1976.

Denver, CO—Stapleton Int'l Arpt., LOC(BC) Rwy 17R, Amdt. 11.

Tacoma, WA—Tacoma Industrial Arpt., LOC Rwy 17, Amdt. 2, cancelled.

* * * effective April 9, 1976.

Rockland, ME—Knox County Regional Arpt., LOC Rwy 3, Amdt. 2.

§ 97.27 [Amended]

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective June 3, 1976.

Little Rock, AR—Adams Field, NDB Rwy 4, Amdt. 13.
Columbus, IN—Columbus Bakalar Muni. Arpt., NDB Rwy 22, Amdt. 4.
Waterloo, IA—Waterloo Muni. Arpt., NDB Rwy 12, Amdt. 3.
Cloquet, MN—Cloquet Carlton County Arpt., NDB Rwy 17, Amdt. 1.
Cloquet, MN—Cloquet Carlton County Arpt., NDB Rwy 35, Amdt. 1.
Klamath Falls, OR—Kingsley Field, NDB-A, Amdt. 3.
Moses Lake, WA—Grant County Arpt., NDB Rwy 32R, Amdt. 9.
Juneau, WI—Dodge County Arpt., NDB Rwy 2, Amdt. 5.
Juneau, WI—Dodge County Arpt., NDB Rwy 20, Amdt. 3.
Watertown, WI—Watertown Muni. Arpt., NDB Rwy 23, Amdt. 1.

* * * effective May 20, 1976.

Troy, AL—Troy Muni. Arpt., NDB Rwy 7, Amdt. 1.

* * * effective May 6, 1976.

Bloomington, IN—Monroe County Arpt., NDB Rwy 35, Original.
Tacoma, WA—Tacoma Industrial Arpt., NDB Rwy 17, Amdt. 3.

* * * effective April 8, 1976.

Naples, FL—Naples Muni. Arpt., NDB Rwy 04, Amdt. 1.
Naples, FL—Naples Muni. Arpt., NDB Rwy 22, Amdt. 1.

§ 97.29 [Amended]

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAP, effective June 3, 1976.

Little Rock, AR—Adams Field, ILS Rwy 4, Amdt. 17.
Columbus, IN—Columbus Bakalar Muni. Arpt., ILS Rwy 22, Amdt. 1.
Waterloo, IA—Waterloo Muni. Arpt., ILS Rwy 12, Amdt. 2.
New Orleans, LA—New Orleans Int'l Arpt. (Moisant Field), ILS Rwy 1, Amdt. 3.
Klamath Falls, OR—Kingsley Field, ILS Rwy 32, Amdt. 15.
Moses Lake, WA—Grant County Arpt., ILS Rwy 32R, Amdt. 11.

* * * effective May 20, 1976.

Troy, AL—Troy Muni. Arpt., ILS Rwy 7, Amdt. 1.

* * * effective May 6, 1976.

Denver, CO—Stapleton Int'l Arpt., ILS Rwy 35L, Amdt. 18.
Denver, CO—Stapleton Int'l Arpt., ILS Rwy 35R, Original.
Bloomington, IN—Monroe County Arpt., ILS Rwy 35, Original.
Bloomington, IN—Monroe County Arpt., ILS/DME Rwy 35, Orig., cancelled.
Dallas, TX—Addison Arpt., ILS Rwy 15, Original.
Tacoma, WA—Tacoma Industrial Arpt., ILS Rwy 17, Original.

* * * effective April 8, 1976.

Miami, FL—Miami Int'l Arpt., ILS Rwy 9R, Amdt. 1.

§ 97.31 [Amended]

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective June 3, 1976.

Fort Smith, AR—Fort Smith Muni. Arpt., RADAR-1, Admt. 2.
Little Rock, AR—Adams Field, RADAR-1, Amdt. 9.
Corpus Christi, TX—Corpus Christi Int'l Arpt., RADAR-1, Amdt. 4.

* * * effective April 9, 1976.

Troy, AL—Troy Muni. Arpt., RADAR-1, Amdt. 1.

* * * effective April 8, 1976.

Miami, FL—Miami Int'l Arpt., RADAR-1, Amdt. 16.

§ 97.33 [Amended]

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective June 3, 1976.

Little Rock, AR—Adams Field, RNAV Rwy 22, Amdt. 4.
Little Rock, AR—Adams Field, RNAV Rwy 35, Amdt. 4.
Columbus, IN—Columbus Bakalar Muni. Arpt., RNAV Rwy 22, Amdt. 2.
Waterloo, IA—Waterloo Muni. Arpt., RNAV Rwy 6, Amdt. 1.
Spartanburg, SC—Spartanburg Downtown Memorial Arpt., RNAV Rwy 4, Amdt. 2.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, and Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in Washington, D.C., on April 23, 1976.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

JAMES M. VINES,
Chief, Aircraft Programs Division.

[FR Doc.76-11585 Filed 4-21-76;8:45 am]

[Docket No. 15595; Amdt. No. 137-5]

PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

Clarification of Aircraft Inspection Requirements

The purpose of this amendment to part 137 of the Federal Aviation Regulations is to clarify the applicability of the aircraft inspection requirements of § 137.53(c) to the large and turbine-powered multi-engine civil airplanes of U.S. registry that are subject to the inspection requirements contained in § 91.217.

Amendment 91-101 was adopted by the FAA on July 17, 1972 (37 FR 14758). That amendment prescribed inspection requirements in § 91.217 for large and turbine-powered multiengine civil airplanes of U.S. registry. The requirements apply to those airplanes when they are used in certain operations, including agricultural aircraft operations governed by Part 137. However, the current provisions of § 137.53(c) do not reflect the inspection requirements in § 91.217, and this could lead to misunderstanding and an unnecessary duplication of inspections under § 137.53(c).

Accordingly, this amendment is being adopted to clarify the inspection requirements of § 137.53(c) applicable to aircraft which have been inspected in accordance with the inspection program requirements of § 91.217.

Since this amendment is clarifying in nature and imposes no additional burden on any person, I find that notice and public procedure are unnecessary and that good cause exists for making this amendment effective on less than 30 days notice.

(Secs. 313(a) and 601 of the Federal Aviation Act of 1958, 49 U.S.C. 1354(a) and 1421; sec. 6(c) of the Department of Transportation Act, 49 U.S.C. 1655(c).)

In consideration of the foregoing, Part 137 of the Federal Aviation Regulations is amended, effective May 24, 1976, by amending § 137.53(c)(1) to read as follows:

§ 137.53 Operation over congested areas: pilots and aircraft.

* * * * *

(c) *Aircraft.* (1) Each aircraft must—

(i) If it is an aircraft not specified in subparagraph (ii) of this paragraph, have had within the preceding 100 hours of time in service a 100-hour or annual inspection by a person authorized by Part 65 or 145 of this chapter, or have been inspected under a progressive inspection system; and

(ii) If it is a large or turbine-powered multiengine civil airplane of U.S. registry, have been inspected in accordance with the applicable inspection program requirements of § 91.217 of this chapter.

* * * * *

Issued in Washington, D.C., on April 14, 1976.

J. W. COCHRAN,
Acting Administator.

[FR Doc.76-11548 Filed 4-21-76;8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

PART 1109—PROCEDURAL REGULATIONS FOR ORAL PRESENTATIONS CONCERNING PROPOSED CONSUMER PRODUCT SAFETY RULES

Denial of General Motors Suggestion

In the FEDERAL REGISTER of October 14, 1975, the Consumer Product Safety Commission issued regulations (16 CFR Part 1109) governing the procedure for the oral presentation of data, views or arguments concerning consumer product safety rules proposed under section 7(c), (e)(1), or (f) or section 8 of the Consumer Product Safety Act. The regulations issued are rules of agency procedure or practice and, therefore, exempt from the notice and public procedure provisions of section 553 of title 5 of the United States Code. Nevertheless, the Commission solicited public comment on

the regulations. The purpose of this notice is to respond to the comment received on the regulations.

The Commission received one comment on the regulations, from the nonautomotive section of General Motors Corporation. The comment was in regard to section 1109.4(c) of the regulations which allows the presiding officer at the proceedings and Commission employees to question persons making an oral presentation. GM recommended that the right to question the person making an oral presentation not be limited to just the presiding officer and Commission representatives, but rather apply to anyone attending the presentations.

It is the Commission's view that the opportunity for oral presentations is an extension of the opportunity for written comment. The presentations are intended to be informal, nonadversary and legislative in nature. As such, the Commission does not believe it is appropriate to formally provide all persons with the right to question a person making an oral presentation. However, it is within the authority of the presiding officer at the presentations to make provision where appropriate for questions from the audience addressed to a person making an oral presentation.

Accordingly, the Commission has determined not to change the procedures at this time as requested by the commentor. It will, however, monitor the operation of the procedures and if in the future, modifications are considered appropriate or desirable, including a specific right to allow interested persons to question a person making a presentation, the Commission will amend the regulations accordingly.

Dated: April 19, 1976.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.76-11701 Filed 4-21-76;8:45 am]

PART 1602—STATEMENTS OF POLICY OR INTERPRETATION POLICY ON EXPORTATION OF NONCOMPLYING GOODS; AMENDMENT

Flammable Fabrics Act Regulations

In this document, the Consumer Product Safety Commission amends the Policy on Exportation of Noncomplying Goods Under the Flammable Fabrics Act (16 CFR Part 1602.2). The Policy was published as a notice in the FEDERAL REGISTER of October 1, 1975 (40 FR 45219) and was revised and codified in the FEDERAL REGISTER of December 5, 1975 (40 FR 56885).

The Policy interprets section 15 of the Flammable Fabrics Act (15 U.S.C. 1191, 1202) and describes the circumstances under which goods that do not comply with the Act may be exported from the United States. This amendment adds a new section (i) to the Policy, to further clarify when domestically manufactured noncomplying items may be exported from the United States. In addition, the Commission amends section (h) of the Policy to clarify that importers may return nonconforming imported goods to the foreign manufacturer for reworking only if the Commission allows such action.

Since this document involves a statement of policy, notice and public comment are not required by the Administrative Procedure Act (5 U.S.C. 553(b)). Therefore, section 1602.2 of Chapter II of title 16 Code of Federal Regulations is amended as follows to amend section (h) and to add a paragraph (i):

§ 1602.2 [Amended]

* * * * *

(h) In any enforcement action taken by this Commission, the person who markets or handles nonconforming goods shall not be allowed to export domestically made goods unless the intent to export them was previously manifested at the time of manufacture nor shall a person be allowed to export foreign made noncomplying goods which were imported into the United States, unless the intent to export them was previously manifested at the time of the original importation. The Commission may in certain instances allow persons subject to the act the opportunity to re-work the violative goods in order to bring them into conformity with the applicable standard and the Flammable Fabrics Act. In some instances the Commission may permit an importer to return nonconforming imported goods to the foreign manufacturer to be reworked to bring them into conformity with the applicable standard and the act. Otherwise, nonconforming goods shall be destroyed.

(i) In any enforcement action taken by this Commission, the person who domestically manufactures nonconforming goods shall not be allowed to export any production unit or lot of such goods once any portion of the production unit or lot has been shipped from the manufacturer's premises without bearing a stamp or label stating that such fabric, related material, or product is intended for export to other than an installation of the United States. However, the Commission does not interpret this policy in such a way as to prevent a manufacturer from exporting noncomplying goods that the manufacturer discovers to be noncomplying before any of the items in the production unit or lot leave the manufacturer's premises.

(Secs. 3, 5, 67 Stat. 111-112, 115, as amended 81 Stat. 568-569, 574; 15 U.S.C. 1192, 1202.)

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

Dated: April 19, 1976.

[FR Doc.76-11700 Filed 4-21-76;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Docket No. 76F-0074]

PART 121—FOOD ADDITIVES

Food Additives, Synthetic Fatty Alcohols

The Food and Drug Administration is amending: (1) § 121.1238 *Synthetic fatty alcohols* (21 CFR 121.1238 in Subpart D) to provide for a modification of the process described therein for the manufacture of synthetic hexyl, octyl, and decyl alcohols intended for use in food and in the synthesis of food components, and to make editorial changes to clarify the description of the current process; and (2) § 121.2616 *Synthetic fatty alcohols* (21 CFR 121.2616 in Subpart F) in the same manner as in item (1) above, by its cross-reference to § 121.1238, in the manufacture of synthetic fatty alcohols intended for food-contact use; to allow for a total diol content limitation of 0.8 weight percent on synthetic fatty alcohols intended for certain food-contact applications; and to provide for, in addition to the cross-referenced alcohols, synthetic lauryl, myristyl, cetyl, and stearyl alcohols manufactured by the modified process for such applications. This amendment is effective April 22, 1976; objections by May 24, 1976.

Notice was given by publication in the FEDERAL REGISTER of March 16, 1972 (37 FR 5516) that a food additive petition (FAP 2L2771) had been filed by the Ethyl Corp., 1700 Peridido St., New Orleans, LA 70012, proposing: (1) That § 121.1238, which specifies the conditions under which synthetic fatty alcohols may be safely used in food and in the synthesis of food components, be amended by deleting the provision that requires using the specified hydrocarbon solvent in the manufacture of these alcohols; and (2) that § 121.2616, which specifies the conditions under which synthetic fatty alcohols may be safely used as components of articles intended for use in contact with food and in synthesizing food additives and other substances permitted for use as components of articles intended for use in contact with food, be amended by deleting the provision that requires using the specified hydrocarbon solvent in the manufacture of these alcohols and by deleting the diol content limitation on these alcohols.

The Commissioner of Food and Drugs, having evaluated data in the petition and other relevant material, concludes that: (1) §§ 121.1238 and 121.2616, should be amended to provide for the use of synthetic hexyl, octyl, and decyl alcohols manufactured by a modification of the process described therein in which an external coolant is used in lieu of the hydrocarbon solvent, and wherein a hydrogenation step is incorporated in the process; (2) the total diol content lim-